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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,218	02/27/2004	Dennis Redman	52067/MEG/B603	9117
23363	7590	11/02/2005		
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			EXAMINER TYLER, STEPHANIE E	
			ART UNIT 3754	PAPER NUMBER

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/789,218	<b>Applicant(s)</b> REDMAN ET AL.	
	<b>Examiner</b> Stephanie E. Tyler	<b>Art Unit</b> 3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-35 is/are pending in the application.
- 4a) Of the above claim(s) 21-27, 32, 33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20,28-31,34 and 35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/19/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

Detailed Action

***Election/Restrictions***

1. Applicant's election of species shown in figures 8,9 and 10 in the reply filed on September 19, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 21-27, 32,33,36 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on September 19, 2005.

***Specification***

3. The abstract of the disclosure is objected to because it has exceeded the 150 words length. Correction is required. See MPEP § 608.01(b).
4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 20, 28, 30, 29, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobrick (1,586,397) in view of Davies (4,606,085).

Bobrick discloses in figures 1-3, a liquid feed system having an outlet at a lower end of a container (1), three separate liquid dispensers (4), each liquid dispenser includes a manually operated pump (4,17-27), a tube that has a first end and second end; where first end is connected to the nozzle of the container and the second end is connected to the liquid dispenser. Thus, the container and liquid dispenser lie in fluid communication.

However Bobrick lacks the use of a collapsible soap or lotion fluid container (1) according to the claims. Davies teaches in a dispensing system similar to Bobrick to provide soap in a "...throw away sealed plastic bag in a cardboard box 20, ...(column 4, lines 63-66).

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Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to have substituted the collapsible soap container in a cardboard box of Davies in the liquid feed system of Bobrick in order to advantageously provide a throw away container as taught by Davies.

Regarding claim 34, Bobrick further discloses each dispenser as having an outlet proximate a respective manually operated pump to the permit user to trigger the pump while simultaneously dispensing soap or lotion from dispenser outlet into the user's hand.

7. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobrick (1,586,397) and Davis (4,606,085) as applied to claim 30 above and further in view of Knibb (3,078,471).

Bobrick and Davies disclose a liquid feed system having a rigid tube (2) coupling the dispenser to the fluid container, but Bobrick and Davies lacks a tube, which is flexible. Knibb teaches to provide a flexible tube (104) extending between a fluid container (52) and dispenser (50), in order to simplify the installation of the dispensing system by permitting it to adapt to different structural environments.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have replaced the rigid tube in the dispensing system of Bobrick and Davis with a flexible tube as taught by Knibb in order to simplify the installation of the dispensing system.

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8. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobrick (1,586,397) and Davis (4,606,085), and Ramacier, Jr. et al. (5,494,074).

Bobrick discloses everything as claimed except for the collapsible fluid container and the valve arrangement having a first valve portion and a second valve portion that is actuated for connecting and disconnecting the flow from the liquid container to the flow tubes. Davies teaches a dispensing system which provides soap in a "...throw away sealed plastic bag in a cardboard box 20, ... (column 4, lines 63-66). Ramacier, Jr. et al. teaches to provide an adaptor (48) having a valve (40) with a first valve portion (56) and a second valve portion (58) that is matable to the first valve portion (Figs. 1 and 2). The first valve portion includes a female coupling member (44). The second valve portion is connected to the female coupling member and the male coupling member (42) to connect/disconnect a fluid passageway therein (column 1, lines 52-53, 68, column 2, lines 1-10, 23-30, column 5 lines 2-68, column 6 lines 1-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the dispensing system of Bobrick by substituting the collapsible soap container within a cardboard box of Davies for the rigid container in the liquid feed system of Bobrick in order to simplify the servicing of the soap dispensing system by providing a throw away container as taught by Davies, and to have provided the dispensing system of Bobrick with a valve arrangement in the form of a line coupled to a first valve portion and a second valve portion as taught by Ramacier, Jr. et al. in order to permit the control of fluid flow between the container and the dispenser.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephanie E. Tyler whose telephone number is 571-272-8059. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on 517-272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SET



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